



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/056,296  
Applicant: R. Eric MONTGOMERY  
Filed: January 24, 2002  
Art Unit: 1614  
Examiner: D. Jagoe  
Title: TOPICAL ORAL CARE COMPOSITIONS  
Docket No.: 03173341  
Customer No.: 26565

CERTIFICATE OF MAILING BY  
"EXPRESS MAIL"  
"Express Mail" mailing label number  
EV 423844195 US  
Date of Deposit: September 21, 2004  
I hereby certify that this paper or fee is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" under 37  
CFR 1.10 on the date indicated above and is  
addressed to MAIL STOP: ASSIGNMENT,  
COMMISSIONER FOR PATENTS, P.O. BOX  
1450, ALEXANDRIA, VA 22313-1450

typed or printed name of person mailing paper or  
fee: Tim Hubalik

  
Signature

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the attached copy of the International Preliminary Examination Report (Form PCT/IPEA/416) of a corresponding international application. This Information Disclosure Statement is being submitted within three months of the date of filing of the International Preliminary Examination Report.

Applicant respectfully requests that the Examiner consider the report, established on the international application, and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the report, should the document be applied against the claims of the present application.

If there is any fee in connection with the filing of this statement, please charge the fee to our Deposit Account No. 13-0019.

Respectfully submitted,



Joseph A. Mahoney  
Reg. No. 38,956

Date: September 21, 2004

**MAYER, BROWN, ROWE & MAW LLP**  
P.O. Box 2828  
Chicago, Illinois 60690-2828  
Telephone: (312) 701-8034  
Facsimile: (312) 706-9000



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

**Complete if Known**

<b>Application Number</b>	10/056,296
---------------------------	------------

<b>Filing Date</b>	January 24, 2002
--------------------	------------------

First Named Inventor	R. Eric MONTGOMERY
----------------------	--------------------

Art Unit	1614
----------	------

Examiner Name	D. Jaqoe
---------------	----------

Attorney Docket Number	03173341
------------------------	----------

Sheet	1	of	1
-------	---	----	---

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*